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United States Department of the Interior

BUREAU OF LAND MANAGEMENT  
North Dakota Field Office  
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Dickinson, North Dakota 58601-2619  
<http://www.blm.gov/mt>



February 26, 2015

Dear Operator

On November 23, 2014, the United States Fish and Wildlife Service (USFWS) listed the Dakota Skipper (*Hesperia dacotae*) butterfly as endangered under the Endangered Species Act (ESA). The ESA protects listed species from take, which includes harming, harassing, injuring or killing a species.

The Bureau of Land Management (BLM) is obligated by law to follow the requirements of the Endangered Species Act, including consultation with the local USFWS if a "No Effect" determination cannot be made during BLM's review of the effects from any surface disturbing activities. BLM's review of a proposed action includes not only a desk top review but also a field review of the habitat that may be affected by the proposed wells on the Application for Permit to Drill (APD). As a result, where warranted, companies may be requested to submit to the BLM office additional field information to assist in making a possible "No Effect" determination.

Attached is a survey protocol concerning the Dakota Skipper in North Dakota and the requirements needed by BLM should an additional survey be requested from your company. Again, not all proposed well locations will be subject to additional requested information from BLM, only those that are warranted due to a desk top analysis not being sufficient.

If you have any questions regarding the above referenced undertaking or attached write-up, please contact the BLM wildlife biologist, Tim Zachmeier, at (701) 227-7749 or by email at [tzachmei@blm.gov](mailto:tzachmei@blm.gov).

Sincerely,

Loren Wickstrom  
Acting Field Manager

Enclosures (1)

The Dakota Skipper (*Hesperia dacotae*) is a small to medium-sized butterfly with a wingspan of one inch and hooked antennae (Royer and Marrone 1992a, P.3). Adult skippers have variable marking with the male wings generally a tawny-orange to brown on the forewings with a prominent mark on the lower part of the wing. The female wing is a darker brown orange with white spots on the forewing margin.

Dakota skippers are obligate residents of undisturbed (remnant, untilled) high quality prairie, ranging from wet-mesic tallgrass prairie to dry mesic mixed grass prairie (Royer and Marrone). High quality prairie contains a high diversity of native plant species, including flowering herbaceous plants (forbs). Royer and Marrone categorized Dakota Skipper habitat into two main types that were once intermixed on a landscape scale, but are now mostly segregated. The first referred to as "Type A" by Royer *et al.* is low wet-mesic prairie that occurs on near shore glacial lake deposits. Type A Dakota skipper habitat is dominated by bluestem grasses, with three other plant species almost always present and blooming during the Skippers flight period: Wood lily, bluebell and mountain deathcamas (smooth camas). The second Dakota skipper habitat type, referred to as "Type B" by Royer *et al.* occurs on rolling terrain over gravelly glacial moraine deposits and is dominated by bluestems and needle grasses. Similar to Type A habitat, bluebell and wood lily are also present but Type B habitats also support more extensive stands of purple coneflower.

Dakota Skipper habitat in McKenzie and Dunn counties would be considered Type B habitat and Mountrail and Burke would perhaps exhibit more of the Type A characteristics, although most likely a combination of both. Soil types typical of the Dakota Skipper sites are described as sandy loams, loamy sand or loams (Lord in Royer *et al.* 2008, p.p. 3,10).

Experts estimated the Dakota Skipper to have a mean mobility of 3.5 on a scale of 0 (sedentary) to 10 (highly mobile). Dakota Skippers may be incapable of moving greater than 0.6 miles between patches of prairie habitat separated by structurally similar habitats.

In Summary, North Dakota contains approximately 21 percent of all historical locations of the species range wide; however, the species is only considered to be present at 16 sites in the state. Three areas in McKenzie County are proposed to be designated as critical habitat for the Dakota Skipper.

### BLM Field Survey Requirements

*Survey Window May 1 – October 15.* BLM recommends utilizing June as the optimum month for surveys as most forbs and grasses are peaking. A June survey should avoid any need for follow-up surveys.

1. Ecological site Description of the project site including the drilling pad, roads, pipelines and any other disturbance that maybe associated with the APD. The site most likely will contain more than one ecological site; therefore, disturbance will be broken out by percentages of each ecological site based on field surveys.
2. Vegetation inventory/composition of the project area. Data may be estimates of the proposed project area or they may be quantified by numeration, by ground cover, by volume or by weight. Line-intercept maybe the most common methodology.

3. Slope of project site.
4. Aspect of project site utilizing 0-360 degrees.
5. Distance from water sources that maybe utilized by cattle or other ungulates. Example water tanks or stock dams.
6. Color photographs. High quality digital photos that clearly depict the vegetation cover of the project site. Photos will be taken in the four cardinal directions from the center stakes providing a clear depiction of vegetation on the proposed location.